



## New Jersey Department of Children and Families Policy Manual

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Subchapter:	1	Interstate Runaways	
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This subsection is about children who are residents of another state and are located in New Jersey. For policy and procedures about New Jersey children who run away to another state, see [CP&P-VIII-E-1-100](#). For policy and procedures about New Jersey children who run away within the boundaries of New Jersey, see [CP&P-VIII-E-2-100](#).

### Definitions

11-25-92

CP&P is responsible for facilitating the safe and prompt return of non-delinquent children who run away from other states and are located in New Jersey.

A runaway is a child who voluntarily leaves his place of residence without the consent of his parent, legal guardian, individual, or agency responsible for his care. In order for the child to be eligible for services from CP&P, he must be under age 18 or under the Juvenile Compact cutoff age in his home state, whichever is older. The state of residence is the one in which the parent, guardian, individual or agency entitled to the legal custody of the child resides.

See [CP&P-VIII-D-3-700](#).

A stranded child is a child unaccompanied by an adult but not believed to be a runaway. A stranded child may be considered abandoned and may receive services based on [CP&P-III-C-2-150](#), [CP&P-III-C-2-200](#), and [CP&P-III-C-2-100](#) or may receive services as a runaway. CP&P facilitates the return of a child to the person responsible for his care.

### Runaways and the Law 11-25-92

Running away is not a criminal offense in New Jersey. However, a runaway may already be or may become known to a law enforcement agency or the courts, either in his home state or in New Jersey.

For the purposes of this policy, the following are legal statuses as they pertain to runaways:

Escapee	a child who has run away from a correctional institution to which he has been committed by law.
Absconder	a child who has run away while on probation or parole supervision.
Delinquent	a child who has run away and who has been adjudicated a delinquent. The child may be considered delinquent by New Jersey and/or the child's resident state.
Juvenile	Family Crisis (and its equivalent in other states) - a child who has run away and who has been adjudicated to be involved in a Juvenile - Family Crisis or its equivalent in other states.
Runaway	a child who has run away and there is no court involvement.

#### **Interstate Compact on Juveniles      11-25-92**

New Jersey is a member of the Interstate Compact on Juveniles (N.J.S.A. 9:23-1 et seq.), along with the other 49 states, the District of Columbia and Guam. The Compact establishes the guidelines to follow with regard to each of the following:

- the return of non-delinquent runaways to their home states;
- the return of delinquent juveniles who have escaped or absconded to the state from which they fled;
- the provision of out-of-state supervision of delinquent children as outlined in Children in Conflict with the Law, see [CP&P-VIII-F-2-200](#) and [CP&P-VIII-F-1-700](#) ; and
- the authorization of agreements for the institutionalization of juveniles who need special care and treatment which is not available in the home state.

The policy of the members of the Compact is to cooperate with each other and to observe their respective responsibilities for the prompt and safe return and to accept delinquent and non-delinquent juveniles who become subject to the provisions of this Compact.

In each state, a Compact Administrator is appointed. In New Jersey, the Compact is administered by three departments:

- the Administrative Office of the Courts whose responsibility is the return of runaways who are on probation;
- the Bureau of Parole, Department of Corrections, whose responsibility is the return of runaways who are on parole or escapees; and
- CP&P, Department of Children and Families, whose responsibility is for the return of non-delinquent runaways.

According to the provisions of the Compact, a runaway may voluntarily consent to being returned to his resident state, by properly executing before a judge [Form III](#), Consent for Voluntary Return of Out-of-State Juveniles. The form is available from the Probation Department and must be used whenever a delinquent or non-delinquent runaway voluntarily consents to return to his home state. See Volume X, Forms Manual.

When the runaway will not return voluntarily, the child's return may be requisitioned by the home state. This process of requisitioning the child's return is coordinated by the courts and the Compact Administrators of New Jersey and the child's home state. See [CP&P-VIII-D-3-600](#) for the complete text of the Interstate Compact on Juveniles.

A child's home state may refuse to become involved because the child is older than that state's Compact cutoff age or is considered an emancipated minor in that state. Every effort is made to return the child to the resident state. When no other arrangements can be made to return the child, CP&P may provide services to the child as a resident of New Jersey based on criteria for case acceptance in [CP&P-III-A-1-100](#). See [CP&P-VIII-D-3-700](#) for the list of cutoff ages for the various states and territories.

## **Role of Interstate Services Unit                      11-25-92**

The Interstate Services Unit has been assigned the responsibility of acting as liaison to the Compact Administrator of the other states party to the Interstate Compact on Juveniles when CP&P becomes involved with a non-delinquent runaway from another state who has been located in New Jersey.

In making arrangements for the return of the non-delinquent runaway, the Local Office directly contacts the Compact Administrator of the other state to arrange for the return. Interstate Services Unit becomes involved when the Local Office:

- needs information as to the appropriate person to contact in the other state;
- needs assistance in resolving financial responsibility with the other state;
- has information that the runaway has been abused; and
- needs assistance with any other problems related to the return of the runaway.

If the Local Office does not require the assistance of Interstate Services Unit in arranging for the return of the runaway, the Interstate Services Unit is notified as soon as possible regarding the Local Office involvement. The Screening Summary, DCF Form [1-1](#), completed as an I & R activity in NJS, is sufficient unless the runaway has been abused, other services beyond screening and assessments are provided or CP&P payment is made.

In an abuse situation, the out-of-state agency is notified of the abuse when arrangements for return are being made. The abused child is returned with the understanding that the out-of-state agency will investigate and monitor the situation. A written summary of CP&P contacts and information is sent immediately to the out-of-state agency following the return of the runaway. Forward a copy of the report to the Interstate Services Unit.

#### **Responsibility for the Return of an Escapee or Absconder      11-25-92**

When the runaway is a child who has escaped from institutional custody or has absconded from probation or parole supervision in another state and is located in New Jersey, the child's return to the home state is coordinated by the Bureau of Parole or the appropriate County Probation Department in New Jersey and in the child's home state. The responsibility for paying for the child's return rests with the home state.

When CP&P receives a request to arrange or pay for the return of an escapee or absconder who is located in New Jersey, CP&P refers the request to the Bureau of Parole or the appropriate County Probation Department. No additional CP&P activities are necessary.

#### **Responsibility for the Return of a Delinquent or a Juvenile-Family Crisis Child 11-25-92**

The Probation Department is responsible for arranging and when necessary, paying for the return of a runaway who has been adjudicated delinquent or is involved in a Juvenile-Family Crisis.

If the child has not yet been adjudicated, the court may require that CP&P assume responsibility for arranging for the child's return to his home state in accordance with the guidelines of the Interstate Compact on Juveniles. The home state retains responsibility for paying transportation costs for the child's return.

### **Responsibility for the Return of a Non-Delinquent Runaway      11-25-92**

CP&P is responsible for facilitating the return of a non-delinquent runaway from another state who is located in New Jersey. The home state is responsible for paying transportation costs for the child's return.

When it is determined that CP&P will be arranging for the child's return to his home state, the responsible Local Office is identified based on the county in which the child was located.

If the child agrees to be returned to his home state, arrangements are made for the child to appear before a judge of the Family Court in order to properly execute [Form III](#), Consent for Voluntary Return of Out-of-State Juveniles. The judge informs the juvenile of his rights, determines the appropriateness of the child's return and the need for someone to accompany the child. See [Form III](#) in Volume X, Forms Manual.

If the child will not voluntarily consent to return to his home state, the child's return may be requisitioned by the home state. The process of requisitioning is coordinated by the Family Court in New Jersey and the appropriate court of jurisdiction in the requisitioning state.

### **Contact with the Out-of-State Agency      12-22-2003**

When CP&P is responsible for arranging for the child's return to his home state, the Compact Administrator in the home state is contacted to notify him that the child has been located and to make arrangements for the child's prompt and safe return. The home state is responsible for contacting the child's parent and for developing an appropriate plan upon the child's return. No direct CP&P contact with the child's parent is made without the knowledge and consent of the out-of-state agency.

If CP&P has cause to believe that the child has been the victim of abuse or neglect, the out-of-state agency is informed. Arrangements for the child's return are made with the understanding that the out-of-state agency will investigate and monitor the situation. A written summary of contacts and information regarding

the abuse or neglect is prepared, the report to the out-of-state agency is sent immediately and a copy is sent to the Interstate Services Unit.

When arrangements can be made for the child's immediate return to his home state, and no payment or services beyond screening and assessment have been provided, the DCF Form [1-1](#), Screening Summary, is completed as "Information and Referral" in NJS.

When services are necessary on behalf of the child and/or when temporary placement is required pending the child's return home, a CP&P Form [26-81](#), Family Summary/Case Plan, is completed and signed by the child. If placement services are to continue beyond three days, a court order is necessary to continue service provision. A case is established in NJ SPIRIT if one or both of the two conditions listed in the section below are met.

### **Opening the Case of an Interstate Runaway**

**9-26-95**

CP&P policy requires arranging for the prompt and safe return of non-delinquent interstate runaways located in New Jersey. Arrangements are made and services are provided without registering a case on the child, whenever possible.

However, a case is registered on an interstate non-delinquent runaway who is located in New Jersey when:

- payment is made; or
- services beyond screening and assessment are provided.

For specific policy and procedures for registering a case, see [CP&P-II-A-1-100](#).

### **Consent to Placement 2-6-2006**

Temporary placement may be required on behalf of an interstate runaway located in New Jersey pending the completion of arrangements for the child's return to his home state. When temporary boarding placement through CP&P is necessary, a case is registered on the child in NJ SPIRIT as a Child Welfare Service Intake, documented in a printable DCF Form [1-1](#), Screening Summary form.

Prior to placement through CP&P, an appropriate court order to authorize placement must be obtained, and a medical examination must be performed, or treatment rendered, as necessary, with consent to treat obtained from the parent or guardian, if known/available, or from the out-of-state agency, if the runaway is known to that agency. CP&P should contact the parent or guardian directly with the knowledge and consent of the out-of-state agency to obtain verbal consent to treatment/examination, as necessary, and to directly involved the parent in decision-making and planning. SCR may seek after-hours consents through the out-of-state after-hours unit.

The Division may consent to the medical examination and/or treatment (N.J.S.A. 30:4C-27) when:

- the parent or guardian cannot be located to obtain verbal consent;
- the out-of-state agency cannot consent to medical examination/treatment; and
- the hospital's administrative consent cannot be obtained.

Although CP&P no longer places children by parental consent in resource family care (i.e., placement in a foster home, or with a relative or a family friend) or shelter care, CP&P makes efforts to ensure that the parent or guardian is apprised of the child's whereabouts, plans made for the child's immediate care, and required court action to facilitate placement in New Jersey. CP&P contacts the parent or guardian with the knowledge and consent of the out-of-state agency.

A child may be placed in a Juvenile-Family Crisis shelter within New Jersey, an emergency foster home, or a detention facility on the basis of a Juvenile-Family Crisis, or a delinquency complaint.

Parental consent may be sought and accepted, to place the child in a residential treatment center/congregate care, when appropriate. Use CP&P Form [25-59](#), the Residential Placement Agreement. The parent or guardian may sign the form in the presence of the out-of-state agency representative, and forward the signed copy to CP&P by fax machine. The Worker follows up, by obtaining the original, signed agreement from the out-of-state agency representative/witness to the parent's signing. CP&P may accept a parent's verbal consent to place, with follow up, as necessary, to obtain written consent.

### **Services on Behalf of an Unidentified Runaway 9-26-95**

Services including placement may be provided on behalf of an unidentified runaway for a maximum of 72 hours. During this period of time, every effort is made to identify the child and to locate the child's parent or guardian.

The child is encouraged to contact the National Runaway Hotline (800-621-4000) in order that his parent or guardian can be notified that he is safe.

CP&P may publish the runaway child's photograph in a newspaper or other public notice only when the child's identity is unknown and only for the purpose of locating the child's parent or guardian.

If after the 72 hours, the child's identity is still unknown, or if the parent or guardian refuses to consent to services which CP&P believes are required for the child's protection, a court order under Title 9 or Title 30 is necessary for the services to be provided or for placement to continue.



## **Federally Funded Shelters**

**11-25-92**

The Federal Runaway Youth Act provides for the establishment of federally funded, grant based shelters for runaways. The grants are time-limited; therefore, the availability of these shelters varies. If a federal shelter is available, an unidentified runaway may be placed on an emergency basis for a maximum of 72 hours without additional consent. If after the 72 hours the child's identity is still unknown, services may continue to be provided pursuant to Title 9 or Title 30.

The Area Office may be consulted for information regarding the availability of federally funded shelters.

## **Payment for the Child's Return**

**11-25-92**

When a runaway child from another state is located in New Jersey, the home state is responsible for paying for the cost of the child's return. If the Local Office has difficulty resolving the home state's financial responsibility for the return of the child, the situation is referred to the Interstate Services Unit.

When no other payment arrangements can be made, CP&P pays for the child's return to his home state, based on the chart in [CP&P-VIII-D-3-800](#). When a Request for Travel Authorization Form is used to pay for the return of a non-New Jersey child, a memo from the Local Office Manager must accompany the form explaining the need for CP&P to pay for the child's return. If the child needs to be accompanied by an attendant who is not an employee of the agency, the costs are included on the form.

The Local Office Support Specialist advises the Bureau of Revenue Development of all CP&P expenditures in order for CP&P to request reimbursement from the child's home state. Although the Interstate Compact on Juveniles does not assign specific responsibility for maintenance costs incurred on behalf of the child, it is CP&P policy with regard to these expenditures to request reimbursement from the child's home state.

The Local Office Bank Account is used only when payment for the return of a child must be arranged and provided during non-working hours. See [CP&P-IX-F-1-700](#) and [CP&P-IX-F-1-300](#).

## **Compliance with the Child Placement Review Act 11-25-92**

Whenever an interstate runaway child who is located in New Jersey requires temporary placement, in other than a Juvenile-Family Crisis shelter, in excess of three days, case activities must be consistent with the requirements of the Child Placement Review Act (N.J.S.A. 30:4C-50 et seq.). See [CP&P-IV-A-3-200](#).

## **Case Termination**

**11-25-92**



When an interstate runaway child located in New Jersey is returned to his home state, CP&P involvement ceases. If a case had been opened on the child, the case is terminated upon confirmation that the child has left New Jersey. All contacts and summary information are documented in the NJS electronic case record.

**Procedures Related to the Return of a Runaway from Another State Who Is Located in New Jersey 2-6-2006**

RESPONSIBILITY	ACTION REQUIRED
Worker	1. Determine the appropriateness of CP&P involvement based on the child's legal status as a non-delinquent runaway.
	2. Encourage an unidentified runaway to contact the National Runaway Hotline, and provide services as required.
	3. Contact the Compact Administrator in the appropriate out-of-state agency, and make arrangements for the child's return home.
	4. Inform the out-of-state agency of any suspected abuse or neglect, sending a written summary with a copy to the Interstate Services Unit immediately following the return of the child.  5. Contact the Interstate Services Unit, if problems occur involving the out-of-state agency responsibility.
	6. Open a CP&P case on the child, when appropriate.
	7. Obtain authorization for placement, a court order, as applicable; if the child is to be placed in a residential

	center/program, the parent or guardian may consent to a Residential Placement Agreement, CP&P Form <a href="#">25-59</a> .
	8. Comply with the Child Placement Review Act when appropriate.
	9. Obtain the child's voluntary consent to return home by properly executing Juvenile Compact <a href="#">Form III</a> , or facilitate the process of the home state's requisitioning for the child's return.
	10. Arrange payment for the child's return. See <a href="#">CP&amp;P-VIII-D-3-800</a>
Interstate Services Unit	11. Provide assistance as required in facilitating the child's return to his home state.
Worker	12. Document provision of services/CP&P intervention in the case record. Terminate intervention, when appropriate, recording all contacts and summary information. File NJ SPIRIT Screening Summary form, DCF Form <a href="#">1-1</a> (documentation of the child welfare services assignment from screening) in the case record.